

UNITED STATES BANKRUPTCY COURT

DISTRICT OF OREGON

In re

SeaPort Airlines, Inc.

Debtor.

Case No. 16-30406-rld11

LIMITED OBJECTION OF CREDITOR  
MULTNOMAH COUNTY TO MOTION  
FOR AUTHORITY TO SELL REAL OR  
PERSONAL PROPERTY FREE AND  
CLEAR OF LIENS

1. On February 5, 2016, Debtor SeaPort Airlines, Inc., filed a Notice of Intent to sell real or personal property, compensate real estate broker, and/or pay any secured creditor's fees and costs; motion for authority to sell property free and clear of liens; and notice of hearing.
2. Multnomah County has no objection to the sale or auction of the assets of the above referenced bankruptcy case, so long as the total amount of taxes due to date of disbursement are impressed as a lien on the proceeds of the sale.
3. Multnomah County filed a secured claim # 30 for \$83,187.95 on 03/08/2016 for the centrally assessed account, #U631915, and real properties located at 39050 SE Gordon Creek Rd, Corbett, OR 97019 and 7000 W/NE Airport Way, Portland, OR 97218.
4. All personal property not exempt from ad valorem tax or subject to special assessment shall be valued at 100% of its real market value as of January 1 and shall be assessed as provided in ORS 308.146. The assessment year beginning January 1 corresponds to the tax year beginning July 1 of the same calendar year.
5. Taxable personal property that is removed from the county in which it is assessed, or is sold or otherwise transferred to another owner, on or after January 1 and before July 1 of the assessment year; taxes on the removed, sold or transferred personal property shall be a lien on the personal property that attaches as of the day preceding the date of removal, sale or transfer per ORS. 311.405 (5) (a).

6. Debtor's obligation to the county for ad valorem taxes is automatically secured by a first priority lien against debtor's real & personal property. Such liens are superior to, and have priority over all other liens, judgments, mortgages security interests or encumbrances on the property without regard to date creation, filing or recording as provided in ORS. 311.405 (9) (a).

For the reasons set out above, Multnomah County respectfully requests the Court not to grant Debtor's motion without the stipulation that the total tax amount due is impressed as a lien on the proceeds of sale and Multnomah County is paid in full.

DATED: May 12, 2016

JENNY M. MADKOUR, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

/s/ Carlos A. Rasch

Carlos A. Rasch, OSB No. 072179

Assistant County Attorney

Of Attorneys for Creditor Multnomah County